

REMARKS/ARGUMENTS

In response to the Notice of Non-Compliant Amendment, Claim 79 is herein amended to be edited back to the intended wording for the amendment of 9/22/06. In addition, a misspelling in Claim 88 is herein corrected.

In response to the Non-Final Rejection mailed 3/26/07, the following remarks are repeated from the amendment filed 6/26/07.

Claims 79-99 were rejected under 35 U.S.C. 112, first paragraph as lacking enablement. This rejection is respectfully traversed. The Examiner points to Example 6A as teaching purification of viral proteins with two extractions and two PEG precipitations, but contends that the specification lacks support for a method with one extraction and one PEG precipitation. Applicants respectfully point to Original Claim 70 that details a method of isolating a virus using one pH-Heat treatment and one PEG precipitation. As original claims are considered part of the specification, Applicants submit that there is adequate support under 35 U.S.C. 112, first paragraph for the method as currently claimed.

With regard to the variation in yield depending upon the plant species used and the virus extraction method, the method as claimed does not claim a specific yield. Table 1 shows that the method is enabled for the extraction of virus from plant tissue. Applicants thank the Examiner for pointing out an additional invention that could be claimed in a continuing application involving optimization of yield through the choice of plant host species and virus preparation method. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

If any other issues remain, the Examiner is encouraged to call the undersigned for prompt resolution of the matter.

The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, which may become due in connection with the instant application or credit any overpayment to Deposit Account No.500933.

Date: October 5, 2007

Respectfully submitted,

/Wayne Fitzmaurice/

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